

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

3. Information from the petitioner's college shows that it has "Student Accident and Sickness Insurance" for which

every student is automatically enrolled covering \$1,000 worth of physician and hospital expenses for an accident. In addition, for an annual premium of \$165.00 a student may purchase "sickness" benefits including hospital and physician services.

4. The petitioner said that her son did not opt for the insurance because the family had somehow missed it in the college mailings. At the time they were overwhelmed by other events in their life. The petitioner at the time of the hearing on January 10, 2002 still had not investigated applying for the college insurance.

5. The petitioner indicated that her son had not yet gone back to college for the second semester and she was not sure what he was going to do. She was advised to notify her worker if the son did not return to school and his eligibility would be reassessed.

ORDER

The decision of the Department is affirmed.

REASONS

Regulations adopted by the Department provide that persons with certain types of other insurance are not eligible for VHAP:

Uninsured or Underinsured

An individual meets this requirement if he/she . . . does not have other insurance that includes both hospital and physician services . . .

In addition, students under the age of 23 enrolled in a program of an institution of higher education are not eligible for coverage if they have elected not to purchase health insurance covering both hospital and physician services offered by their educational institution or if they are eligible for coverage through the policy held by their parent(s), but their parents have elected not to purchase this coverage.

W.A.M. 4001.2

The petitioner's son, who is under the age of 23, elected (or neglected) not to purchase health insurance he was offered by his college which covered both hospital and physician services. As such, he does not meet the definition of "uninsured" in the regulations. As he failed to meet an essential qualification for receiving coverage, he cannot be found eligible. W.A.M. 4001.

The petitioner is encouraged to reapply if he is no longer a college student for a reassessment of his VHAP eligibility. The decision of the Department finding that he was ineligible effective November 1, 2001 must be upheld as consistent with the valid regulation of the Department. 3 V.S.A. § 3091(d) and Fair Hearing Rule 17.

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